

Legislative Fiscal Bureau

Fiscal Note

HF 2533 – No-Contact Orders – Domestic Abuse (LSB 6545 HV)
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Fiscal Note Version - New

Description

House File 2533 provides that a person may be convicted of a simple misdemeanor or held in contempt of court for a violation of a valid foreign protective order. Under current law, an offender convicted or held in contempt for a violation of a protective order is required to serve a jail sentence.

Assumptions

1. According to the Justice Data Warehouse, there were 23,806 domestic abuse protective and no-contact orders issued in Iowa in FY 2003. There were 706 convictions for contempt and violations of no-contact and protective orders in FY 2003. It is not known how many active orders issued in Iowa are in effect at any given time.
2. It is not known how many active foreign protective orders are in effect in Iowa. There is no readily available data with which to predict the number of active foreign protective orders that will be violated.
3. The marginal cost per day for county jails is \$15 per offender. The average length of stay in jail for violating a no-contact order is 32 days.
4. Court costs per case are approximately \$130. These costs include the time of a District Court Judge, Clerk of Court staff, a court attendant, and a court reporter.
5. The median cost per proceeding for indigent defense is \$250.

Correctional Impact

There is no readily available data with which to predict the correctional impact of HF 2533. To the extent foreign protective orders are violated, there will be an impact on county jails. That impact is expected to be minimal.

Fiscal Impact

Due to insufficient information, the fiscal impact of HF 2533 cannot be determined. The State's cost for holding a hearing regarding violation of a no-contact order is approximately \$400, including the costs of court staff time and indigent defense.

The average county cost for holding one no-contact order violator in jail is approximately \$500. There will be an impact on local law enforcement for enforcing no-contact orders. That cost cannot be determined due to insufficient data.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Judicial Branch
State Public Defender's Office

Dennis C Prouty

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
